

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS FAN, *et al.*,
Plaintiffs,

v.

NBA PROPERTIES INC., *et al.*,
Defendants.

Case No. [23-cv-05069-SI](#)

**ORDER RE: MOTION FOR
PRELIMINARY APPROVAL**

On August 15, 2025, the Court held a hearing on plaintiffs' motion for preliminary approval of the class settlement. As discussed at the hearing, the Court intends to grant the motion for preliminary approval after plaintiffs submit a revised proposed order and revised long-form notice containing the following:

1. Paragraph 10 of the notice relates to the release. That paragraph currently cites Section 1.25 of the Settlement Agreement, but it appears to the Court that the citation should be to Section 1.29 ("Released Parties"). In addition, Paragraph 10 of the notice should specifically reference the relevant provisions in the Settlement Agreement that pertain to the release: Section 1.28, Section 3, and Section 10.6.
2. Paragraph 17 of the long form notice tells objectors that they have to both file documents with the Court and also separately mail materials to counsel. This language must be revised to comply with the Northern District's Procedural Guidance for Class Action Settlements, which states that "The notice should instruct class members who wish to object to the settlement to send their written objections only to the court. All objections will be scanned into the electronic case docket, and the parties will receive electronic notices of filings."
3. Paragraphs 17 and 21 of the long form notice state that if an objector wants to speak at

the Final Approval hearing they have to state that in their objection. This language should be modified to say that objectors need to inform the Court 2 weeks prior to the hearing.

4. The proposed order should be modified to reflect the above changes.
5. The notice and proposed order should be revised to state that the final approval hearing will be held via zoom, and inform class members of the zoom information should they wish to attend.

IT IS SO ORDERED.

Dated: August 15, 2025



SUSAN ILLSTON
United States District Judge